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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/689,481

10/20/2003

Gary E. Hendricks

140/41302/994

7887

279

7590

02/09/2006

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EXAMINER

LEE, GUIYOUNG

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 02/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

EV

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/689,481		HENDRICKS, GARY E.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Guiyoung Lee		2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 November 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Prelim./Amdt.*

1. Receipt is acknowledged of the amendment filed 11/28/2005.
2. Claims 1-18 are pending, and claims 19-20 are cancelled.

### *Response to Arguments*

3. Applicant's amendments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection. The new ground of rejection follows.

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2, 8-12 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Denley (US 6,450,674 B2) cited by applicant in view of Oh (US 6,471,386 B2).

Re claims 1 and 11: Denley discloses a headlamp adjuster and a method of adjusting a reflector by the headlamp adjuster comprising a housing; a member (190c in Fig. 12), an adjuster member (104c in Fig. 12) having a first end and a second end; a rotatable input member (See 134c in Fig. 12) gearing in the housing and configured to provide that rotation of the rotatable input member causes extension and retraction of said adjust member, said adjuster member being extendable and retractable into and out of the member (190c), wherein said first end of said adjuster member

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is engageable with the reflector of the headlamp assembly and said second end of said adjuster member (15) is receivable in the member (190c). Denley does not teach that said member is an expandable member. However, Oh discloses an expandable member (13), and the expandable member is configured to expand upon said second end of said adjuster member contacting and pushing on said expandable member. Further Oh teaches advantage of the expandable member that is accommodating retraction of the adjuster member (col. 2, line 43+) and absorbing the impact force. It would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute Oh's expandable member with Denley's member because of advantage of Oh's expandable member above.

Re claims 2, 10, 12 and 18: Oh discloses the expandable member is a bellow comprising an accordion member.

Re claims 8 and 16: Oh discloses snap fitting pin 15 as a snap ring, which secures the bellow to the housing (col. 3, lines 37-40).

Re claims 9 and 17: Oh discloses that the headlamp adjuster is configured such that said second end of said adjuster member is engageable and pressable against an internal wall of said expandable member, thereby causing said expandable member to expand (col. 2, lines 34-46).

***Claim Rejections - 35 USC § 103***

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6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3-4 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Denley as applied to claims 1 and 11 above, and further in view of Asanuma et al. (US 5,927,071).

Re claim 3-4 and 13: Oh does not disclose the bellow is comprised of rubber. Asanuma teaches a rubber bellow (col. 5, line 24). It would have been obvious to one having ordinary skill in the art at the time of the invention to employ rubber as a material for Oh's bellow as Assauma taught because rubber is good material for absorbing the impact power from the automobile accident.

8. Claims 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oh as applied to claims 1 and 11 above, and further in view of Fox et al. (US 6,779,835 B2).

Re claims 7 and 15: Oh does not disclose that the bellow is glued to the housing. Fox teaches the bellow (10 in Fig. 1 and Abstract) can be attached to the housing by glue. It would have been obvious to one having ordinary skill in the art at the time of the invention to attach Oh's bellow to the housing by using glue as Fox taught because glue is widely used for attaching an elastomeric material such as rubber bellow to any surface due to the fact the glue is conveniently available and easily usable.

9. Claims 5-6 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oh in view of Bertram et al. (US 2004/0086324 A1).

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Re claims 5-6 and 14: Oh does not teach a molding process of making the housing and the bellow integrally. Bertram discloses that the bellow part (28 in Fig. 13) is integrally connected to the housing (24). Further, Bertram disclose a high precision injection molding to make the bellow part and the housing (Paragraph 0009). It would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the high precision injection molding process in order to make Oh's bellow and housing integrally.

### *Conclusion*

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

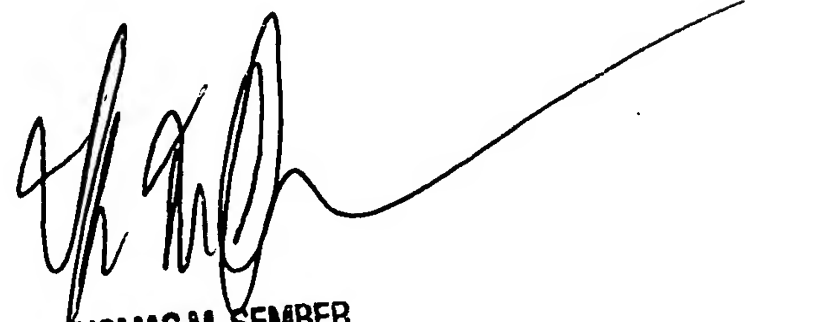
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guiyoung Lee whose telephone number is 571-272-2374. The examiner can normally be reached on M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LGY



THOMAS M. SEMBER  
PRIMARY EXAMINER